

Date signed December 06, 2004



Paul Mannes

PAUL MANNES

UNITED STATES BANKRUPTCY COURT U. S. BANKRUPTCY JUDGE

FOR THE DISTRICT OF MARYLAND

at Greenbelt

IN RE:

CHERYL T. BUTLER

Debtor

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Case No. 04-18463PM

Chapter 13

MEMORANDUM OF DECISION

Following the filing of the Trustee's Suggestion of Excessive Fees with respect to the second bankruptcy case under Chapter 13 filed for this Debtor by her attorney, Adam M. Freiman, Mr. Freiman responded two days later requesting an additional \$600.00 compensation. Perhaps Mr. Freiman had the view that a good offense is the best defense.

This was not an extraordinary case under Chapter 13. Debtor's amended Chapter 13 Plan was confirmed on the date for confirmation set in the Notice of the filing of the bankruptcy case. All that counsel did beyond the services set out in his Disclosure of Compensation filed pursuant to Bankruptcy Rule 2016(b) was to negotiate on Debtor's behalf an Agreed Order modifying the stay. It would appear that counsel's advice to his client was less than compelling as Debtor apparently paid only the May payment to the secured creditor following the filing of the bankruptcy case, leading to the motion for relief from stay and the additional contact with counsel.

An appropriate order will be entered.

cc:

Cheryl T. Butler, 1726 Ruston Avenue, Capitol Heights, MD 20743

Adam M. Freiman, Esq., 1825 Woodlawn Drive, Suite 103, Baltimore, MD 21207

Timothy P. Branigan, Esquire, P.O. Box 1902, Laurel MD 20725-1902

End of Memorandum